

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JANIS SPRINGER-ROBERTS, R.N.,	:	LS07110818NUR
RESPONDENT.	:	

Division of Enforcement Case # 05NUR261

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Janis Springer-Roberts, R.N.
1323 Terrace Avenue
Waukegan, IL 60085

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Board of Nursing
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Wisconsin Board of Nursing. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Janis Springer-Roberts, R.N., (DOB 11/29/1956) is duly licensed as a registered nurse in the state of Wisconsin (license # 77478). This license was first granted on August 29, 1980.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 1323 Terrace Avenue, Waukegan, Illinois 60085.
3. On January 12, 2005, the Respondent underwent an anterior cervical decompression and fusion surgery which resulted in a three month leave of absence from work due to significant back pain which was treated with Vicodin and Tylenol #3. The pain and prescriptions for narcotic treatment continued after her return to work.
4. On September 9, 2005, the Respondent while at work, experienced a significant episode of pain and did not have medication available. Respondent had exhausted her sick leave and therefore requested a prescription from Michael Brooks, M.D., the on call physician at the Aurora Sheboygan Memorial Medical Center, Internal Medicine Department.
5. Dr. Brooks provide a prescription for Vicodin which the Respondent took to the pharmacy to have filled.

6. Prior to submitting the prescription to the pharmacist, the Respondent added her address which was missing from the prescription and added the number “3” to the refill line.

7. On September 8, 2005, Respondent was convicted of obtaining a prescription drug with fraud in violation of Wis. Stats. § 450.11(7)(a). She was fined \$172.50.

8. Individuals licensed to practice nursing in the State of Wisconsin may, in the course of their practice under that licensure, obtain, administer and dispense prescription medications, including controlled substances, at the direction of an individual licensed to prescribe such treatment.

9. Respondent has undergone two AODA assessments on March 9, 2006 and February 7, 2007. The results of the tests are inconclusive of any substance abuse or dependence disorder.

9. Wis. Stats. § 450.11(7)(a) is a law the circumstances of which substantially relate to the practice of professional nursing.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter, pursuant to Wis. Stat. § 441.07, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by obtaining a drug other than in the course of legitimate practice and as otherwise prohibited by law, as set out above, has engaged in unprofessional conduct as defined by Wis. Admin. Code § N 7.04(2) and is subject to discipline pursuant to Wis. Stat. § 441.07(1)(d)

3. Respondent by having violated laws substantially related to the practice of professional nursing, as set out above, has engaged in unprofessional conduct as defined by Wis. Admin. Code § N 7.04(1) and is subject to discipline pursuant to Wis. Stat. § 441.07(1)(d).

4. The Wisconsin Board of Nursing has the authority to assess costs pursuant to § 440.22 (2), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of, to practice nursing in the State of Wisconsin is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent shall, within six (6) months from the date of this Order, pay costs of this proceeding in the amount of eight hundred sixty-five (\$865) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to pay costs as ordered or comply with the ordered continuing education the Respondent's license (# 77478) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

4. This Order is effective on the date of its signing.

WISCONSIN BOARD OF NURSING

By: Marilyn Kaufmann
A Member of the Board

11/807
Date